

AMENDED IN ASSEMBLY APRIL 11, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1712

Introduced by Assembly Member Hancock

February 22, 2005

~~An act relating to CalWORKs. An act to amend Section 103627 of the Health and Safety Code and Section 18309 of the Welfare and Institutions Code, relating to domestic violence.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1712, as amended, Hancock. ~~CalWORKs: Kin-GAP Program~~
~~Domestic violence.~~

~~Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families. Each county is required to pay a share of the cost of both aid grant and administrative costs for the CalWORKs program. Existing law, the Kinship Guardianship Assistance Payment (Kin-GAP) Program, provides for financial assistance to children who, after being adjudged dependent children of the juvenile court, are placed in legal guardianship with a relative, at specified rates.~~

~~This bill would state the intent of the Legislature to enact legislation to address the provision of benefits under the Kin-GAP Program.~~

~~Existing law authorizes the Alameda County Board of Supervisors, upon making findings and declarations supporting the need for governmental oversight and coordination of the multiple agencies dealing with domestic violence, to authorize an increase in the fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records, up to a maximum increase of \$2. Existing law authorizes the Alameda County Board of Supervisors to authorize~~

an increase in those fees each year. In addition to those fees, existing law requires any applicant for a certified copy of a birth certificate, a fetal death record, or death record in Alameda County to pay an additional fee to the local registrar, county recorder, or county clerk as established by the Alameda County Board of Supervisors.

Existing law requires the Alameda County Board of Supervisors to direct the local registrar, county recorder, and county clerk to deposit the above fees into a special fund. Existing law authorizes the county to retain up to 4% of the fund for administrative costs and requires proceeds from the fund to be used for governmental oversight and coordination of domestic violence and family violence prevention, intervention, and prosecution efforts.

The above provisions of existing law remain in effect only until January 1, 2010.

This bill would additionally authorize the City Council of the City of Berkeley to authorize an increase in the fees within its local health jurisdiction for certified copies of marriage certificates, birth certificates, fetal death records, and death records, up to a maximum increase of \$2. The bill would also authorize the city to authorize an increase in those fees each year and to establish an additional fee that any applicant for a certified copy of a birth certificate, a fetal death record, or death record in the city must pay to the local registrar. The bill would require the city to direct the local registrar to deposit the above fees into a special fund, separate from the county's special fund, and would authorize the city to retain up to 4% of the fund for administrative costs.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 103627 of the Health and Safety Code is*
- 2 *amended to read:*
- 3 103627. (a) The Alameda County Board of Supervisors *and*
- 4 *the City Council of the City of Berkeley, upon making findings*
- 5 *and declarations supporting the need for governmental oversight*
- 6 *and coordination of the multiple agencies dealing with domestic*
- 7 *violence, may authorize an increase in the fees for certified*
- 8 *copies of marriage certificates, birth certificates, fetal death*

records, and death records, up to a maximum increase of two dollars (\$2) *in their respective local health jurisdictions.*

(b) Effective July 1 of each year, the Alameda County Board of Supervisors *and the City Council of the City of Berkeley* may authorize an increase in these fees by an amount equal to the increase in the Consumer Price Index for the San Francisco metropolitan area for the preceding calendar year, rounded to the nearest half-dollar (\$0.50). The fees shall be disposed of pursuant to the provisions of Section 18309 of the Welfare and Institutions Code.

(c) In addition to the fees prescribed by subdivisions (a) and (b), any applicant for a certified copy of a birth certificate, a fetal death record, or death record in Alameda County *or in the City of Berkeley* shall pay an additional fee to the local registrar, county recorder, or county clerk, *as applicable*, as established by the Alameda County Board of Supervisors *or the City Council of the City of Berkeley.*

(d) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute deletes or extends that date.

SEC. 2. Section 18309 of the Welfare and Institutions Code is amended to read:

18309. (a) The Alameda County Board of Supervisors shall direct the local registrar, county recorder, and county clerk to deposit fees collected pursuant to Section 26840.10 of the Government Code and Section 103627 of the Health and Safety Code into a special fund. *The City Council of the City of Berkeley shall direct the local registrar to deposit fees collected pursuant to Section 103627 of the Health and Safety Code into a special fund that is separate from the county's special fund.* The county *and city* may retain up to 4 percent of ~~the fund~~ *their respective funds* for administrative costs associated with the collection and segregation of the additional fees and the deposit of these fees into the special ~~fund~~ *funds*. Proceeds from the ~~fund~~ *funds* shall be used for governmental oversight and coordination of domestic violence and family violence prevention, intervention, and prosecution efforts among the court system, the district attorney's office, the public defender's office, law enforcement, the probation department, mental health, substance abuse, child welfare services, adult protective services, and community-based

1 organizations and other agencies working in Alameda County in
2 order to increase the effectiveness of prevention, early
3 intervention, and prosecution of domestic and family violence.

4 (b) This section shall remain in effect only until January 1,
5 2010, and as of that date is repealed, unless a later enacted statute
6 deletes or extends that date.

7 ~~SECTION 1. It is the intent of the Legislature to enact~~
8 ~~legislation to address the provision of benefits under the Kin-GAP~~
9 ~~Program.~~